

Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

JENNIFER P. SCHWEICKERT,

Plaintiff,

vs.

HUNTS POINT VENTURES, INC.; HUNTS
POINT VENTURE GROUP, LLC; CHAD
and ELIZABETH RUDKIN, and their marital
community comprised thereof; JOHN DU
WORS and AMBER DU WORS, and their
marital community comprised thereof; and
DOES 1-4,

Defendants.

No. 13-CV-675RSM

NOTICE OF OBJECTION TO
DECLARATION OF T. JEFFREY
KEANE IN SUPPORT OF ORDER
AWARDING ATTORNEY'S FEES AND
COSTS TO JOYCE SCHWEICKERT
AND THE PROPOSED ORDER
AWARDING ATTORNEY'S FEES AND
COSTS TO JOYCE SCHWEICKERT

Please take notice of the following objection to the Declaration of T. Jeffrey Keane in
Support of Order Awarding Attorney's Fees and Costs to Joyce Schweickert, and the Proposed
Order Awarding Attorney's Fees and Costs to Joyce Schweickert.

I. Objection

On December 4, 2014, this Court issued an Order on Motions. Dkt. 93. In the order,
Judge Martinez ruled:

(7) Motions to Quash by Plaintiff and by Joyce Schweickert and Jeffrey Keane
(Dkt. ## 63, 67) are GRANTED. The Court QUASHES the subpoenas issued

NOTICE OF OBJECTION TO DECLARATION OF T.
JEFFREY KEANE IN SUPPORT OF ORDER
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JOYCE SCHWEICKERT AND THE PROPOSED
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COSTS TO JOYCE SCHWEICKERT - 1
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by counsel for Defendant Du Wors to Apple and Google. **Plaintiff shall be awarded her attorney fees and costs in the amount of \$1200 for time incurred opposing the unduly burdensome and unwarranted subpoenas. The Court finds that a similar award is appropriate for the time that counsel for Joyce Schweickert and Jeffrey Keane incurred in opposing the subpoenas.** Counsel shall file and serve a fee application within ten (10) days of the entry of this Order if he wishes to pursue such an award.

Dkt. 93, pg. 22. (Emphasis added).

Judge Martinez specifically stated that a similar award in the amount of \$1200 dollars was appropriate for the time that counsel for Joyce Schweickert and Jeffrey Keane incurred in opposing the subpoenas. *Id.*

On December 11, 2014, T. Jeffrey Keane filed a declaration in support of an order awarding attorney's fees and costs to Joyce Schweickert for opposing the Apple and Google Subpoenas asking this Court for the exorbitant amount of \$6,082.75, a completely unreasonable request in light of the Court Order on this issue. See Dkt. 94. Further, besides Mr. Keane's own personal opinion, he failed to provide support as to why his fees were reasonable.

Defendant Du Wors objects to Mr. Keane request for \$6,082.75 dollars in fees, and asks that this Court comply with its original order on this matter awarding fees in no more than \$1200.

DATED this 12th day of December, 2014.

LEE SMART, P.S., INC.

By: s/Sam B. Franklin

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CERTIFICATE OF SERVICE

I hereby certify that on the date provided at the signature below, I electronically filed the preceding document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following individuals:

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I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

EXECUTED this 12th day of December, 2014, at Seattle, Washington.



Kimberly J. Paul, Legal Assistant

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